UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/754,492	Applicant(s) LEGRAW, G. STEPHEN
	Examiner Jeffrey Pwu	Art Unit 3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-58_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-58_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _2,4_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Title

1.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-58 are rejected under 35 U.S.C. 102(e) as being unpatentable over Coueignoux

(U.S. 6,092,197).

Coueignoux discloses claims:

1.   A business method for trading information, comprising the steps of:

collecting information from a user at a first location (4), having a confidential data portion

and an exchange data portion (5; col.7, lines 27-49);

transmitting only the exchange data portion to a central location (8; col.7, lines 27-49);

defining an exchange data set at the central location (16; col.7, line 27-col.9, line 10);

updating the exchange data set using the exchange data portion (method steps 17-35 of fig.4);

determining an output data set from the exchange data set, wherein the output data set is

accessible by one or more users (7).

2.   The method of claim 1, wherein the step of transmitting only the exchange data portion to a central location includes the step of transmitting only the exchange data portion to a central location via a network (8; col.7, lines 27-49).

3.   The method of claim 2, wherein the network includes an Internet communication link (col.5, line 1-col.6, line 14).

4.   The method of claim 1, further comprising the steps of defining one or more groups; and determining one or more groups associated with the collected information (20)

5.   The method of claim 4, further comprising the step of attaching the determined groups to the exchange data portion (col.8, line 5-col.9, line 10)

6.   The method of claim 1, further comprising the step of defining the user as a qualified user (col.8, line 5-col.9, line 10)

7.   The method of claim 6, further comprising the step of defining the exchange data set as a qualified user exchange data set (see DEP 14 and various rules).

8.   The method of claim 1, further comprising the step of transmitting the output data set from the central location to the first location via an Internet communication link (13, 12)

9.   The method of claim 8, further comprising storing the output data set at the first location (1' or 6).

10.   The method of claim 1, further comprising storing the output data set at the central location (8, 9)

11.   The method of claim 1, further comprising the step of storing the collected information at the first location (1' or 6).

12.   The method of claim 1, further comprising the step of storing the confidential data portion at the first location (6).

13.   The method of claim 1, wherein the step of determining the output data set further comprises the steps of: defining a statistical model; generating a statistical data set using the exchange data set and the statistical model; and storing the statistical data set as the output data set (8).

14.   The method of claim 13, further comprising the step of receiving a second exchange data portion from a second user; and updating the exchange data set using the second exchange data portion (repeat method step of 17-35 of fig.4);

15.   The method of claim 1, wherein the step of collecting information from a user further includes the steps of defining a graphical user interface including a webpage; and collecting information from the user via the webpage (col.7, line 27-col.8, line 46).

16.   The method of claim 15, further comprising the steps of: accessing the central controller via the webpage using a login routine, wherein the login routine determines whether a user is allowed to access the central controller ("As will be further described, private facts cannot be accessed by a system element other than the DEP 14, and can be discovered by the DEP 14 during a single user-interaction session or during multiple user-interaction sessions.")

17.   The method of claim 14, further comprising the step of transmitting the output data set to the user at the completion of the login routine (it is inherent in a login routine; see fig.1, interface between step 5 to 7)

18.   The method of claim 1, further comprising the step of generating a graph from the output data set (38).

19.   The method of claim 1, wherein the step of collecting information from a user includes the step of collecting benchmark information (38, 30, 31, 33, 34, 35).

20.   The method of claim 19, wherein the benchmarking information is asset information (38).

21.   The method of claim 20, wherein the asset information includes public business valuation information (38).

22.   The method of claim 20, wherein the asset information iincludes private business valuation information (35).

23.   The method of claim 20, wherein the asset data information includes portfolio information.

24.   The method of claim 20, wherein the asset information includes capital structure information (38).

25.   The method of claim 20, wherein the benchmarking information is performance information (38)

Claims 26-58 are similarily rejected as in claims 1-25:

26.   A network business method for providing commercial statistical data via a network, comprising the steps of:

        collecting commercial data information via a webpage from a user; generating a
        commercial data record from the commercial data information, including a confidential
        subrecord and an exchange subrecord;
        defining a commercial statistical analysis system having an exchange data set;
transmitting only the exchange subrecord via a network communication link to the commercial
statistical analysis system;
updating the exchange data set using the exchange subrecord; and generating a commercial
statistical data set using the commercial statistical analysis system, wherein the commercial
statistical data set is accessible by the user. (16; col.7, line 27-col.9, line 10).

27.   The method of claim 26, further comprising the step of transmitting the commercial statistical data set from the commercial statistical analysis system to the user via the network communication link.

28.   The method of claim 27, further comprising storing the commercial statistical data set.

29.   The method of claim 28, further comprising storing the commercial statistical data set at the commercial statistical analysis system.

30.   The method of claim 26, further comprising the step of storing the collected information at the location of the user.

31.   The method of claim 26, further comprising the step of storing the confidential subrecord at the location of the user.

32.   The method of claim 26, wherein the step of generating the commercial statistical data set further comprises the steps of: defining a statistical model; and generating a commercial statistical data set using the exchange data set and the statistical model.

33.   The method of claim 32, further comprising the step of receiving a second exchange subrecord from a second user; and updating the exchange data set using the second exchange subrecord.

34.   The method of claim 26, further comprising the steps of: accessing the commercial statistical analysis system via the web page using a login routine, wherein the login routine determines whether a user is allowed to access the commercial statistical analysis system.

35.   The method of claim 34, further comprising the step of transmitting the commercial statistical data set to the user at the completion of the login routine.

36.   The method of claim 26, further comprising the step of generating a graph from the commercial statistical data set.

37.   The method of claim 26, wherein the step of collecting information from a user includes the step of collecting asset information.

38.   The method of claim 37, wherein the asset information includes public business valuation and other statistical information.

39.   The method of claim 37, wherein the asset information includes private business valuation and other statistical information.

40.   The method of claim 26, further comprising the step of determining whether the user is a qualified user.

41.   The method of claim 40, further comprising the step of defining a qualified user exchange data set, wherein the qualified user exchange data set is allowed to be accessed only by the qualified user.

42.   The method of claim 41, further comprising the step of defining the exchange data set to include the qualified user exchange data set as a subset of the exchange data set.

43.   The method of claim 26, comprising the step of defining the network communication link to include an internet communication link.

44.   A system for trading commercial information via a network, the system comprising: a commercial information exchange system including an exchange system controller and an exchange data storage system; wherein the commercial information exchange system is configured to receive an exchange subrecord from a user via the network, updates the exchange data set using the exchange subrecord, and generates a commercial statistical data set, wherein the commercial statistical data set is accessible by one or more users who provide exchange subrecords to the commercial information exchange system. (col.2, line 28-col.4, line 7).

45.   The system of claim 44, wherein the user is a qualified user, and the commercial statistical data set is accessible only by one or more qualified users.

46.   The system of claim 44, further comprising:

a first user interface located at the user; wherein the first user interface is in communication with the commercial information exchange system via the network, for transmitting the exchange record from the first user interface to the commercial information exchange system.

47.   The system of claim 44, wherein the network includes the Internet.

48.   The system of claim 44, wherein the exchange system controller further includes a web server. (see Internet and servers)

49.   The system of claim 44, wherein the exchange system controller further includes a query manager for managing queries between the user and the commercial information exchange system.

50.   The system of claim 44, wherein the exchange system controller includes a statistical model, wherein the commercial statistical data set is generated using the exchange data set and the statistical model.

51.   A computer-readable medium having computer-executable instructions for performing a method for providing commercial statistical data via a network comprising:
collecting commercial data information via a webpage from a user; generating a commercial data record from the commercial data information, including a confidential subrecord and an exchange subrecord;

defining a commercial statistical analysis system having an exchange data set;
transmitting only the exchange subrecord via a network communication link to the commercial statistical analysis system;
updating the exchange data set using the exchange subrecord; and generating a commercial statistical data set using the commercial statistical analysis system, wherein the commercial statistical data set is accessible by the user.

52.   The method of claim 51, further comprising transmitting the commercial statistical data set from the commercial statistical analysis system to the user via 10   the network communication link.

53.   The method of claim 51, wherein the step of generating the commercial statistical data set further comprises: defining a statistical model; and generating a commercial statistical data set using the exchange data set and a statistical model.

54.   The method of claim 51, further comprising the step of receiving a second exchange subrecord from a second user; and updating the exchange data set using the second exchange subrecord.

55.   The method of claim 51, further comprising the step of: accessing the commercial statistical analysis system via the webpage using a login routine, wherein the login routine determines whether a user is allowed to access the commercial statistical analysis system.

56.   The method of claim 55, further comprising the step of transmitting the commercial statistical data set to the user at the completion of the login routine.

57.   The method of claim 51, wherein the step of collecting information from a user includes the step of collecting private business valuation information.

58.   A method for trading private company statistical data comprising: collecting private company data information via a webpage from a user; generating a private company data record from the private company data information, including a confidential subrecord and an exchange subrecord; defining a statistical analysis system having an exchange data set; transmittng only the exchange subrecord to the statistical analysis system; updating the exchange data set using the exchange subrecord; and generating a private company statistical data set using the statistical analysis system, wherein the private company statistical data set is accessible by one or more qualified users, wherein a qualified user is defined as a user who provides exchange subrecords to the statistical analysis system. (col.4, line 64-col.8, line 47).

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 703 308-7835. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyun

Sough can be reached on 703 308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEFFREY PWU
PRIMARY EXAMINER